

1600

Express Mail No.: EL 477 033 054 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Herr et al.

Application No.: 09/720,282

Group Art Unit: 1653

Filed: March 26, 2001

Examiner: To Be Assigned

For: EGG SURFACE PROTEINS AND
METHODS OF THEIR USE FOR
MODULATING FERTILITY

Attorney Docket No.: 9426-004

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JAN 16 2002

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REQUEST FOR CORRECTION OF FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Application Processing Division
Customer Correction Branch

Sir:

Enclosed please find the original and one copy of the filing receipt for the following U.S. application:

Herr et al.
Serial No.: 09/720,282
Filed: March 26, 2001
For: "EGG SURFACE PROTEINS AND METHODS OF THEIR USE
FOR MODULATING FERTILITY"

Three errors exist on the Filing Receipt; the corrections of which are highlighted and in red ink on the enclosed copy of the Filing Receipt.

Specifically, the Filing Receipt incorrectly recites "EGG SURFACE PROTEINS AND METHODS FOR USE FOR MODULATING FERTILITY" as the title of the application. The correct title is "EGG SURFACE PROTEINS AND METHODS OF THEIR USE FOR MODULATING FERTILITY". The Filing Receipt also incorrectly recites 20 Drawings. The correct number of Drawings is 16. Further, the Filing Receipt incorrectly recites the filing fee received as \$1080. The correct filing fee is \$1420.

Attached as Exhibit A is a copy of the Transmittal Letter to the United States Designated/Elected Office, filed in connection with the above-identified application, which correctly states the title of the application and authorizes payment of the filing fee of \$1420. Attached as Exhibit B is a copy of the stamped return receipt postcard indicating receipt of the Transmittal Letter to the United States Designated/Elected Office, and of 16 Drawings on 18 Sheets by the U.S. Patent and Trademark Office on December 19, 2000.

Applicants request that the Filing Receipt be reissued with the appropriate corrections.

No fee is believed due. However, should the Patent and Trademark Office determine otherwise, please charge the necessary fee to Pennie & Edmonds LLP deposit account no. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date December 17, 2001

Geraldine F. Baldwin

Geraldine F. Baldwin

by Helen T. Quinn

31,232 ^{REG NO}
(Reg. No.) 40,203

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

9426-004

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

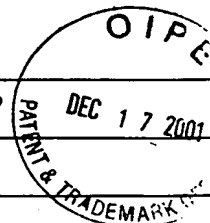
INTERNATIONAL APPLICATION NO.
PCT/US99/13858

INTERNATIONAL FILING DATE
June 19, 1999

PRIORITY DATE CLAIMED
June 19, 1998

TITLE OF INVENTION
EGG SURFACE PROTEINS AND METHODS OF THEIR USE FOR MODULATING FERTILITY

APPLICANT(S) FOR DO/EO/US
John C. Herr and Scott A. Coonrod



Applicant herewith submits to the United States Designated/ Elected Office (DO/EO/US) the following items under 35 U.S.C. 371:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the international Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureaus.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 37(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)), unexecuted.
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

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Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: A copy of International Publication WO99/65520 with the International Search Report.

17. ☐ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees as follows:

CLAIMS				
(1)FOR	(2)NUMBER FILED	(3)NUMBER EXTRA	(4)RATE	(5)CALCULATIONS
TOTAL CLAIMS	25 - 20	5	X \$ 18.00	\$ 90.00
INDEPENDENT CLAIMS	6 - 3	3	X \$ 80.00	240.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 270.00	\$ 270.00
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): CHECK ONE BOX ONLY				
<input checked="" type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ 690				\$ 690.00
<input type="checkbox"/> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$ 710				
<input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ 1000				
<input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2) to (4) \$ 100				
<input type="checkbox"/> Filing with EPO or JPO search report \$ 860				
Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than 20 <input checked="" type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00
TOTAL OF ABOVE CALCULATIONS				= 1,420.00
Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (Note 37 CFR 1.9, 1.27, 1.28).				- \$ 0.00
SUBTOTAL				= 1,420.00
Processing fee of \$130.00 for furnishing the English Translation later than 20 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)).				+
TOTAL FEES ENCLOSED				\$ 1,420.00

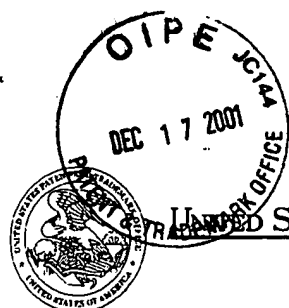
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- a. ☐ A check in the amount of \$__ to cover the above fees is enclosed.
- b. ☒ Please charge Deposit Account No. 16-1150 in the amount of \$ 1,420.00 to cover the above fees. A copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 16-1150. A copy of this sheet is enclosed.

18. ☐ Other instructions
n/a19. ☒ All correspondence for this application should be mailed to
PENNIE & EDMONDS LLP
1155 AVENUE OF THE AMERICAS
NEW YORK, NEW YORK 10036-271120. ☒ All telephone inquiries should be made to (212) 790-2803by: *Geraldine F. Baldwin* REG NO 40,203Geraldine F. Baldwin
NAME*Geraldine F. Baldwin*
SIGNATURE31,232
REGISTRATION NUMBERDecember 19, 2000
DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/720,282 ✓	03/26/2001 ✓	1653 ✓	1080	9426-004 ✓	20	18	6

CONFIRMATION NO. 1066

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

FILING RECEIPT



OC00000006470974

2421

Date Mailed: 08/24/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

John C. Herr, Charlottesville, VA; ✓
Scott A. Coonrod, Charlottesville, VA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US99/13858 06/19/1999 ✓
WHICH CLAIMS BENEFIT OF 60/089,950 06/19/1998

Foreign Applications

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

REFERRED TO <u>Baldwin</u> REC'D <u>Thornam</u>
AUG 29 2001
Pennie & Edmonds O.K. for filing _____

Title

Egg surface proteins and methods for use for modulating fertility ✓

Preliminary Class

424

Data entry by : NGUYEN, SON

Team : OIPE

Date: 08/24/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

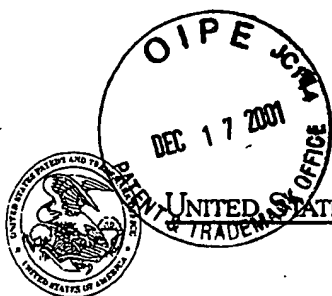
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PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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Applicant(s)

John C. Herr, Charlottesville, VA; ✓
Scott A. Coonrod, Charlottesville, VA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US99/13858 06/19/1999 ✓
WHICH CLAIMS BENEFIT OF 60/089,950 06/19/1998

Foreign Applications

Projected Publication Date: N/A

Non-Publication Request: No

Early Publication Request: No

REFERRED TO	Baldwin
REC'D	Thomann
AUG 29 2001	
Pennie & Edmonds	
O.K. for filing	

Title

Egg surface proteins and methods for use for modulating fertility ✓

of their

Preliminary Class

424

Data entry by : NGUYEN, SON

Team : OIPE

Date: 08/24/2001

[REDACTED]

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

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NOT GRANTED

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